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**TRANSMITTAL  
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2

Application Number 09/964,000

Filing Date September 26, 2001

First Named Inventor Guess, William Y.

Art Unit 1761

Examiner Name Becker, Drew E.

Attorney Docket Number

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Remarks _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Response to Notification of Non-Compliant Appeal Brief	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name			
Signature	William Y. Guess		
Printed name	William Y. Guess		
Date	Oct. 18, 2005	Reg. No.	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	William Y. Guess	Date	Oct. 18, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to be 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appl. No : 09/964/000 Confirmation No. 3019  
Applicant : William Y. Guess  
Filed : September 26, 2001  
TC/A.U. : 1761  
Examiner : Drew E Becker

Commissioner For Patents

P.O. Box 1450

Alexandria VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief, applicant disagrees and directs the examiners attention to 37 CFR § 41.37 (c)(1) which states clearly that appellants "not represented by a registered practitioner need only substantially comply with paragraphs (c) (1) (i) through (c) (1) (iv) and (c) (1)(vii) through (c) (1)(x) of this section:". Pursuant to this clear language, appellant is not required to include either a summary of the invention under heading (v) or the grounds of rejection under heading (vi). Appellant included items under these headings as a courtesy to the board such that a single document (the brief) would contain the relevant, albeit in the case of the summary, cursory information. Appellant's invention is very simple.

Appellant wishes to avoid further delay regarding this appeal and therefore has responded to the above notification as promptly as possible.

Respectfully submitted,

A handwritten signature in cursive script, reading "William Y. Guess". The signature is fluid and written in dark ink.

William Y. Guess

October 18, 2005